



MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

County Counsel
Director of Planning

At its meeting held April 18, 2005, the Board took the following action:

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At the time and place regularly set, notice having been duly given, the following item was called up:

Combined hearing on the following zoning matters for the project known as Kohl's Commercial Development Project, to consider and certify the Final Environmental Impact Report (FEIR) has been reviewed and completed in compliance with the California Environmental Quality Act, State and County guidelines and reflects the independent judgment of the County; adoption of the Mitigation Monitoring Program incorporated in the FEIR, finding that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation; and adopt Findings and Fact and Statement of Overriding Consideration for the project which consists of 8.13 acres located on Rosemead Blvd. between Huntington Dr. and Fairview Ave., East Pasadena and South Santa Anita – Temple City Zoned District, petitioned by J. Foley Enterprises and Wallis M. Clearman Trust, as further described in the attached letter dated February 22, 2006 from the Acting Director of Planning:

Zone Change Case No. 03-147-(5), from C-1, C-2, C-H-DP
and R-3 to C-2-DP

Conditional Use Permit Case No. 03-147-(5), to authorize a new development program to include a department store, existing restaurant with the sale of a full line of alcoholic beverages, and a new restaurant with the sale of a full line of alcoholic beverages for on-site consumption

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All persons wishing to testify were sworn in by the Deputy Executive Officer of the Board. Kim Szalay, representing the Department of Regional Planning and William Winter, representing the Department of Public Works testified. Opportunity was given for interested persons to address the Board. Jerry Galipeau, Doug Burr, Thomas Duebber, Samuel Heinrichs, Tim Saivar, Chad Morgan and other interested persons addressed the Board. Correspondence was presented.

Supervisor Antonovich made the following statement:

“Nearly two years ago residents approached my office concerned about the proposed Kohl’s project. My staff arranged several meetings between the applicant and the community to discuss these concerns. Based upon these meetings, I directed the applicant to:

- Reduce the height of the Kohl’s Store from 2 stories to 1 story to conform to the East Pasadena Community Standards District;
- Relocate the building to the northern end of the property;
- Redesign the building to include architectural treatments on the side facing Huntington Drive;
- Increase the variety of trees and shrubs fronting the adjoining streets and in the parking areas;
- Reorient the Kohl’s signage to emphasize the Rosemead Boulevard frontage rather than the side of the building facing Fairview Avenue;
- Relocate the loading dock and minimize the delivery hours to reduce noise impacts upon surrounding residents;
- Restrict store openings to no earlier than 7:00 a.m. rather than the 5:30 a.m. proposed by the applicant;
- Require that the applicant install dual left-turn lanes on north-bound and south-bound Rosemead Boulevard, and to install a deceleration lane along southbound Rosemead Boulevard;

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- Require the applicant to conduct quarterly monitoring at several intersections in the surrounding community for a period of three years; and
- Secure payments in excess of \$400,000, to be paid prior to issuance of building permits, for future traffic mitigation and community improvements.

“Fairview Avenue borders the project to the south. This street provides access for residents living on Fairview and other streets west and south of the Kohl’s site. These residents are concerned that cars leaving the Kohl’s property will drive through their residential neighborhood. The best way to prevent this cut-through traffic is to eliminate the driveway from the project site to Fairview Avenue. Eliminating this driveway redirects project-related traffic to Huntington Drive and Rosemead Boulevard, the two roadways better suited to handle commercial traffic. A block wall should be constructed to prevent noise and glare impacts from vehicles in the Kohl’s parking lot, and the applicant should landscape the area in front of this wall.

“Residents of the Fairview neighborhood, Chapman Woods, and Michillinda Park are to be commended for working diligently to resolve outstanding issues with the applicant. These residents volunteered countless hours in an effort to improve the project and protect nearby residential neighborhoods. I am grateful for their hard work and commitment to improving their community.

“This project will provide approximately 150 new jobs in the Kohl’s Department Store and preserve 150 existing jobs in the restaurants. The project file indicates that more than 1,000 local residents have written to the County in support of the project.

“The project approved by the Regional Planning Commission includes several conditions. The conditions address aesthetics, traffic and traffic monitoring, hours of operation, design, parking, construction and other potential impacts. Beyond the Regional Planning Commission determination, and in order to address remaining neighborhood concerns, additional conditions should be incorporated into the project.

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“These include:

- Replace Condition 25 to require that the applicant post a bond, prior to the issuance of building permits, for the installation of a future traffic signal at the Fairview/Rosemead intersection. The amount of the bond, and the period during which the bond shall remain in effect, shall be determined by the Department of Public Works. The applicant shall monitor traffic impacts at this intersection, to be reviewed by the Department of Public Works and CalTrans, and Public Works shall determine whether and when the signal shall be installed.
- Modify Condition 29.h.1 to require that the applicant provide \$100,000 for the Neighborhood Traffic Management Program, to be deposited with the County’s Department of Public Works, prior to the issuance of building permits.
- Delete Condition 30, which eliminates the proposed Fairview Avenue driveway.
- Delete Condition 40.d.
- Add a condition requiring that the applicant install a six-foot masonry wall along the southerly boundary of the project adjacent to Fairview Avenue.
- Add a condition requiring that the applicant install additional landscaping, including a combination of shrubs and trees of varying sizes, between the masonry wall and the Fairview Avenue right-of-way, incorporated in the landscape plan identified in Condition 33.
- Add a condition reducing the size of the proposed Kohl’s Department store from 88,407 square feet to 80,000 square feet.

“These revisions further mitigate the project impacts beyond the Planning Commission determination.”

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Therefore, on motion of Supervisor Antonovich, seconded by Supervisor Molina, unanimously carried (Supervisor Burke being absent), the Board closed the hearing and took the following actions:

1. Approved and certified that the Final Environmental Impact Report (FEIR) has been reviewed and completed in compliance with the California Environmental Quality Act (CEQA), State and County guidelines and reflects the independent judgment of the County;
2. Adopted the attached Mitigation Monitoring Program incorporated in the FEIR, Findings of Fact and Statement of Overriding Consideration prepared for the project;
3. Made a finding that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation;
4. Indicated its intent to approve Zone Change and Conditional Use Permit Case Nos. 03-147-(5) with the aforementioned modified conditions, and any additional changes required for consistency purposes; and
5. Directed County Counsel to prepare the final environmental documentation, ordinance, and findings and conditions, to be consistent with the revisions as recommended by Supervisor Antonovich, for final approval.

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Attachments

Copies distributed

Each Supervisor
Director of Public Works
J. Foley Enterprises and
Wallis M. Clearman Trust
Jerry Galipeau
Doug Burr
Thomas Duebber
Samuel Heinrichs
Tim Saivar
Chad Morgan